

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1521

CLARENCE E. BROWN,

Petitioner,

versus

DOMINION COAL CORPORATION; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS, UNITED STATES
DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(02-0646-BLA; 99-BLA-1180)

Submitted: October 20, 2003

Decided: March 23, 2004

Before NIEMEYER, KING, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Clarence E. Brown, Petitioner Pro Se. Ronald Eugene Gilbertson,
BELL, BOYD & LLOYD, Washington, D.C.; Michelle Seyman Gerdano,
Patricia May Nece, Christian P. Barber, UNITED STATES DEPARTMENT OF
LABOR, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Clarence E. Brown seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-45 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Brown v. Dominion Coal Corp., No. 02-0646-BLA (BRB Mar. 19, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED